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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 MICHAEL FELLING, an individual,

12
13 Plaintiff,

14 vs.

15 HOMEAWAY, INC., a Delaware
Corporation; GENERALI GLOBAL
16 ASSISTANCE, INC., a New York
corporation; MARCO JIMMERSON, an
17 individual; DEVOYIOUS MARK, an
individual; DOE individuals I through X;
18 and ROE corporations and organizations I
through X, inclusive,

19
20 Defendants.

Case No.: 2:20-cv-02014-GMN-BNW

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANT
HOMEAWAY.COM, INC. TO RESPOND
TO THE COMPLAINT**

(First Request)

21
22 **STIPULATION**

23 Whereas on September 22, 2020, Plaintiff Michael Felling commenced this action
24 against Defendant Homeaway.com, Inc. (erroneously sued as “Homeaway, Inc.”) in the
25 Eighth Judicial District Court for Clark County, Nevada;

26 Whereas Felling purports to have served Homeaway with the summons and
27 complaint on September 30, 2020, and whereas Homeaway disputes that service was
28 proper;

Whereas on October 20, 2020, Felling's counsel and Homeaway's counsel agreed that Homeaway would have up to and through Friday, December 4, 2020, to respond to the complaint; and

Whereas on October 30, 2020, Homeaway removed the case to this Court by filing a Petition for Removal (ECF No. 1).

Now, therefore, based on the foregoing and in light of the removal, Felling and Homeaway confirm and memorialize their agreement that Homeaway has up to and through Friday, December 4, 2020, to respond to the complaint so that Homeaway may meaningfully investigate this matter and assert its defenses, including, without limitation, any defenses related to lack of jurisdiction, improper venue, insufficiency of process, and insufficiency of service of process, which defenses Homeaway does not waive by filing this stipulation. This is the first stipulation for an extension of time for Homeaway to respond to the complaint.

Dated: November 10, 2020

BALLARD SPAHR LLP

KRISTA N. ALBREGTS, PLLC

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 MICHAEL FELLING*

ORDER

IT IS SO ORDERED:


 UNITED STATES JUDGE

DATED: 11/13/2020